

Minutes of the Town Board Meeting of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, July 5, 1977 at 7:30 P.M.

Present:

Allen M. Smith, Supervisor
George G. Young, Councilman
Francis E. Menendez, Councilman
John Lombardi, Councilman
Jessie Tomlinson, Councilwoman

Also present: Peter S. Danowski, Jr., Town Attorney

Absent: Alex E. Horton, Supt. of Highways

Supervisor Smith called the Meeting to order at 7:30 P.M. and the Pledge of Allegiance was recited.

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

RESOLVED, That the word "resuscitation" on the lower portion of page 516 of the minutes of the meeting of the Town Board held on June 21, 1977, be changed to read "recitation", and with this correction, the minutes be approved, and

FURTHER RESOLVED, That the minutes of an adjourned meeting of the Town Board held on June 28, 1977, be approved.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

OPEN BID REPORTS - CONSTRUCTION OF DETENTION CELL

After being duly advertised the following bids for the construction of a detention cell were opened by the Town Clerk on Monday, June 27, 1977 at 11:00 A.M.

NO BIDS RECEIVED

Filed.

OPEN BID REPORTS - REPAIR OF DAMAGED RECREATION PARKING AREAS

After being duly advertised the following bid for the repair of damaged recreation parking areas was opened by the Town Clerk on Monday, June 27, 1977 at 11:00 A.M.

R.O. WELCH ASPHALT CO.
1064 Woodcrest Avenue
Riverhead, New York 11901

OPEN BID REPORTS - REPAIR OF DAMAGED RECREATION
PARKING AREAS - continued

Base Bid Proposal (lump sum) Fifty Nine Thousand
Nine Hundred Seventy Five (\$59,975.00) Dollars.

We propose to complete the work, ready for final
acceptance withing Forty calendar days after notice of
award. Sooner if possible (weather permitting).

BID BOND ENCLOSED

COLLUSION CERTIFICATE SIGNED

The above bid was rejected by resolution of this
meeting and Town Clerk directed to make re-bid.

..... Filed.

OPEN BID REPORT - SURPLUS POLICE BOAT AND MOTOR -
POLICE DEPARTMENT

After being duly advertised the following bids for
the Surplus Police Boat and Motor for the Police Department
were opened by the Town Clerk on Tuesday, July 5, 1977 at
11:00 A.M.

HARRY T. BODEN
47 Further Lane
Riverhead, New York 11901
TELEPHONE: 727-2796

I bid and agree to purchase the surplus police boat
and motor for the sum of \$1,201.00.

CERTIFIED CHECK ENCLOSED

..... Filed.

PETER R. KRUSZON
32 Jackson Street
Riverhead, New York 11901
TELEPHONE: 727-1927

I bid and agree to purchase the surplus police boat
and motor for the sum of \$750.00.

CERTIFIED CHECK ENCLOSED

..... Filed.

OPEN BID REPORTS - SURPLUS POLICE BOAT AND MOTOR-
POLICE DEPARTMENT - continued

JEFF McGANN
 6 Stacey Lane
 Smithtown, New York 11787
 TELEPHONE: 724-3916 OR 752-9090

I bid and agree to purchase the surplus police boat and motor for the sum of \$600.75.

CERTIFIED CHECK ENCLOSED

Filed.

OPEN BID REPORT - PECONIC AVENUE CONSTRUCTION AND DEMO-
LITION WORK AT RIVERHEAD

After being duly advertised the following bid for Peconic Avenue construction and demolition work at Riverhead was opened by the Town Clerk on Tuesday, July 5, 1977 at 11:00 A.M.

CHESTERFIELD ASSOCIATES, E. Davies Allan
 427 East Main Street
 Westhampton Beach, New York 11978

Base Bid to include;
 a. Demolition
 b. New Bulkhead
 c. Clean Fill

WORDS Twelve Thousand, Five Hundred Dollars
 NUMERALS \$12,500.00

Alternates:

	<u>ADD</u>	<u>DEDUCT</u>
1. Provide Bridge A		
2. Provide Bridge B	<u>\$7000.00</u>	
3. Provide Railing on Bulkhead	<u>1500.00</u>	
4. Provide Topsoil and Grass	<u>1500.00</u>	
5. Eliminate Demolition		<u>\$2200.00</u>

We propose to complete the work, ready for final acceptance within 10 calendar days after notice of award.

BID DEPOSIT ENCLOSED

NO ACTION TAKEN ON AWARDED THIS BID AT THIS TIME. Filed.

7/5/77
OPEN BID REPORT - FIFTEEN (15) SURPLUS VEHICLES -
POLICE DEPARTMENT

536.

After being duly advertised the following bids for the fifteen (15) surplus police vehicles for the Police Department were opened by the Town Clerk on Tuesday, July 5, 1977 at 11:00 A.M.

EAST ISLAND AUTO PARTS
31 Kroemer Avenue
Riverhead, New York 11901
TELEPHONE: 727-8988

YEAR AND MAKE	VIN	BID PRICE
1. 1974 Plymouth 4-door, B/W	RK41P4A258056	\$100
2. 1974 Plymouth 4-door, B/W	RK41P4A258058	\$ 50
3. 1974 Plymouth 4-door, B/W	RK41P4A258055	\$ 50
4. 1974 Plymouth 4-door, B/W	RK41P4A258057	\$100
5. 1976 Plymouth 4-door, B/W	RK41K6A190085	\$150
6. 1976 Plymouth 4-door, B/W	RK41K6A190084	\$250
7. 1976 Plymouth 4-door, B/W	RK41G5A201813	\$100
8. 1976 Plymouth 4-door, B/W	RK41K6A190083	\$250
9. 1976 Plymouth 4-door, B/W	RK41K6A190086	\$250
10. 1975 Plymouth 4-door, B/W	RK41K5A188972	\$200
11. 1975 Plymouth 4-door, B/W	RK41K5A188973	\$150
12. 1975 Plymouth 4-door, B/W	RK41K5A188975	\$200
13. 1975 Plymouth 4-door, B/W	RK41K5A188974	\$200
14. 1972 Dodge 4-door, Blue	DK41M2F197140	\$125
15. 1971 Plymouth 4-dr, Green	PK41N1F235367	\$125
TOTAL		\$2300

NO CERTIFIED CHECK ENCLOSED

Filed.

LOUIS M. SERIO
74 Ocean Avenue
Central Islip, New York 11722
TELEPHONE: 234-9244

YEAR AND MAKE	VIN	BID PRICE
1. 1974 Plymouth 4-door, B/W	RK41P4A258056	\$105
2. 1974 Plymouth 4-door, B/W	RK41P4A258058	\$ 63
3. 1974 Plymouth 4-door, B/W	RK41P4a258055	\$ 27
4. 1974 Plymouth 4-door, B/W	RK41P4A258057	\$106
5. 1976 Plymouth 4-door, B/W	RK41K6A190085	\$185
6. 1976 Plymouth 4-door, B/W	RK41K6A190084	\$255
7. 1976 Plymouth 4-door, B/W	RK41G5A201813	\$ 63
8. 1976 Plymouth 4-door, B/W	RK41K6A190083	\$172
9. 1976 Plymouth 4-door, B/W	RK41K6A190086	\$160
10. 1975 Plymouth 4-door, B/W	RK41K5A188972	\$ 90
11. 1975 Plymouth 4-door, B/W	RK41K5a188973	\$162
12. 1975 Plymouth 4-door, B/W	RK41K5A188975	\$172
13. 1975 Plymouth 4-door, B/W	RK41K5A188974	\$255
14. 1972 Dodge 4-door, Blue	DK41M2F197140	\$175
15. 1971 Plymouth 4-dr, Green	PK41N1F235367	\$135
TOTAL		\$2125

CERTIFIED CHECK ENCLOSED

REPORTS - continued

Building Department, month of June, 1977 Filed.
Police Department, month of June, 1977 Filed.

APPLICATIONS

For Site Plan - P.C. Richards - to build office &
retail store - Old Country Road

For Site Plan - Andy Stuebel - Burger King parking site

COMMUNICATIONS

M. Janet Freeman, dated June 28, 1977, requesting permission for the Highway Department to replace two trees in front of her home that were taken down by last summer's hurricane, as trees are an essential part of Riverside Drive's charm and beauty. Filed.

Referred to Councilman Menendez.

N.Y. State Department of Environmental Conservation, dated June 22, 1977 relating to State Environmental Quality Review Act. Filed.

Town of Southampton, relating to public hearing to be held on July 21, 1977 on proposed changes to Zoning Ordinance No. 26. Filed.

Office of the County Legislature, dated June 27, 1977, enclosing resolution pertaining to the Tax Exemption by persons 65 years of age and over, adopted on June 21, 1977. Filed.

Richard C. Strand, District Clerk of Shoreham - Wading River Central School District, submitting minutes of Annual District Meeting held June 21st, 1977 and a copy of resolution adopting the new limit of \$7200 of income for the 65 years and over Tax Exemption. Filed.

PERSONAL APPEARANCES

Supervisor Smith asked if anyone wished to be heard and no one responded.

RESOLUTIONS

Councilman Young offered the following resolution which was seconded by Councilman Menendez.

WHEREAS, The Town of Riverhead and Everett B. Raynor, entered into a three (3) year lease dated August 4, 1959, expiring August 31, 1962, covering drainage privileges from

RESOLUTIONS - continued

Hallock Street, and

WHEREAS, Said lease has a provision for renewal on a year to year basis, and was duly renewed under the provisions of said lease for the period ending August 31, 1977,

NOW THEREFORE BE IT RESOLVED, That the Town of Riverhead renew the said lease on a year to year basis at an annual rental of \$150.00, and on the same terms and conditions contained in said lease, the present renewal being for the year ending August 31, 1978, and be it

FURTHER RESOLVED, That the Town Clerk send notification of this intention to the said Everett B. Raynor.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Councilwoman Tomlinson offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, Catherine M. Miller, became employed in the Office of the Building Department as a Clerk-Typist on January 1, 1977 at a base salary of \$7326.00 per annum, and

WHEREAS, She has now completed her probationary period,

NOW THEREFORE BE IT RESOLVED, That Catherine M. Miller, Clerk-Typist, be changed from provisional to permanent status at a salary of \$7326.00, effective as of the 1st day of July, 1977.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Councilman Lombardi offered the following resolution which was seconded by Councilwoman Tomlinson.

WHEREAS, Robert Woodson was appointed Park Laborer effective May 16, 1977 to and including September 9, 1977 and

WHEREAS, Robert Woodson has indicated his inability to serve,

BE IT THEREFORE RESOLVED, That the appointment of Robert Woodson made in a Town Board Resolution under date of May 17, 1977, be and is hereby rescinded, AND BE IT

FURTHER RESOLVED, That James T. Robinson be appointed Park Laborer effective June 27, 1977 to and including September 9, 1977, to be paid bi-weekly at the hourly rate of \$2.50 and to serve at the pleasure of the Town Board.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Councilman Young offered the following resolution which was seconded by Councilman Menendez.

WHEREAS, Craig Schmidt was appointed Beach Attendant effective June 25, 1977 to and including September 5, 1977, and

RESOLUTIONS - continued

WHEREAS, Craig Schmidt has indicated his inability to serve,

BE IT THEREFORE RESOLVED, That the appointment of Craig Schmidt made in a Town Board Resolution under date of June 21, 1977, be and is hereby rescinded, and be it

FURTHER RESOLVED, That Michael James McDermott be appointed Beach Attendant effective July 5, 1977 to and including September 5, 1977, to be paid bi-weekly at the hourly rate of \$2.75 and to serve at the pleasure of the Town Board.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Councilman Lombardi offered the following resolution which was seconded by Councilwoman Tomlinson.

WHEREAS, Nancy Edgar was appointed Recreation Aide effective July 5, 1977 to and including August 12, 1977, and

WHEREAS, Nancy Edgar has indicated her inability to serve,

BE IT THEREFORE RESOLVED, That the appointment of Nancy Edgar made in a Town Board Resolution under date of June 21, 1977, be and is hereby rescinded, and be it

FURTHER RESOLVED, That Laurie A. Kauffman be appointed Recreation Aide effective July 5, 1977 to and including August 12, 1977, to be paid bi-weekly at the hourly rate of \$2.50 and to serve at the pleasure of the Town Board.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

WHEREAS, This Town Board has received bids pertaining to the sale of the surplus police vehicles,

NOW THEREFORE BE IT RESOLVED, That the highest responsible bidder, East Island Auto Parts, 31 Kroemer Avenue, Riverhead, New York 11901, is hereby awarded the bid for the sum of \$2300, conditioned on the bidder delivering a certified check drawn to the Town of Riverhead for the aforesaid bid sum, by July 8th, 1977.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

RESOLVED, That the bid for the sale of a surplus aluminum boat and motor, be and is hereby awarded to Harry T. Boden, 47 Further Lane, Riverhead, New York 11901, for

RESOLUTIONS - continued

the bid sum of \$1201.00.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Councilman Lombardi offered the following resolution which was seconded by Councilwoman Tomlinson.

WHEREAS, Gregory Bennett was appointed Recreation Aide effective July 5, 1977 to and including August 12, 1977, and

WHEREAS, Gregory Bennett has indicated his inability to serve,

BE IT THEREFORE RESOLVED, That the appointment of Gregory Bennett made in a Town Board Resolution under date of June 21, 1977 be and is hereby rescinded, and be it

FURTHER RESOLVED, That Laurie Edna Gallo be appointed Recreation Aide effective July 5, 1977 to and including August 12, 1977, to be paid bi-weekly at the hourly rate of \$2.50 and to serve at the pleasure of the Town Board.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Councilman Lombardi offered the following resolution which was seconded by Councilwoman Tomlinson.

RESOLVED, That Mike Peretta be, and he hereby is, appointed as Clerk to the Board of Assessment and Review for a per diem compensation of \$25.00.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Councilwoman Tomlinson offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, That the Town Board of the Town of Riverhead does hereby adopt the following affirmative action policy for the Town Board, its subordinate special districts and departments:

The objective of the Town of Riverhead in its hiring practices will be to obtain local personnel who are qualified to, or can be readily trained to be qualified to function properly in the positions for which they are engaged.

As a municipal agency, first priority in hiring will be given to local residents. Within this framework, the following policies will be carried out in the recruitment of agency employees, as well as to promotions within the office:

RESOLUTIONS - continued

All employment advertising and recruiting activities will be directed to all qualified applicants regardless of race, color, age, sex, creed, national origin or physical handicap.

All employment advertising, job announcements, bid announcements and recruiting announcements and project marketing will identify the Town of Riverhead and its Special Districts and Departments as an equal opportunity employer.

Job announcements will be issued in readable and understandable language, particularly for those positions with flexible educational requirements.

Advertising to attract minority applicants will be appropriately worded and placed in local media.

Discriminatory and unnecessary restrictions on age, sex, physical characteristics, education, and experience are not to be included in recruiting announcements. Only bona fide requirements will be specified. Job descriptions will be analyzed to insure qualifications are job related and that references to sex are deleted wherever practicable.

Veterans preference: nothing contained in this Affirmative Action Plan shall be construed to repeal or modify any federal, state, or local law creating special rights or preference for veterans.

The following efforts will be made to ensue that selection devices do not discriminate against minority applicants:

Selection techniques shall be reviewed and, where necessary, revised to insure that personal interviews, application forms, credit checks and formal scoring tests are not used in a manner which results in discrimination against minority groups, females, and/or any other qualified applicant.

The Town shall continue to advise employees, employment agencies, community groups, women's organizations and schools of its non-discriminatory policy and commitment to equal employment.

Any examination will be in such form and character that it will fairly test and determine the qualifications, fitness and ability of the persons tested to perform the duties of the class or position to which they seek appointment.

The Town of Riverhead will abide by federal equal opportunity requirements and regulations as well as by the requirements of this program. Reported violations or questions will be brought to the attention of the members of the Town Board for

RESOLUTIONS - continued

resolution.

All contractors engaged by the Town Board, and all sub-contractors engaged by the contractors are required to meet with agency staff personnel to discuss compliance with equal opportunity requirements. Any contractor or sub-contractor who does not comply fully with these requirements may be subject to sanction by the Town and cancellation of contract. In applicable situations, HUD Affirmative Action Staff will be consulted in all cases where immediate resolution cannot be made of a problem in this area.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Councilman Young offered the following resolution which was seconded by Councilman Menendez.

RESOLVED, That the firm of Young & Young be, and they hereby are, retained to prepare the necessary drawings and bid documents for installation of fencing about the Town sump on Osborn Avenue, the Town sump on Dogwood Trail, and the construction of a drainage area on Sound Shore Road.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Councilwoman Tomlinson offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, That the Town Board of the Town of Riverhead does hereby adopt the Home Rule resolution supporting Senate Bill No. 5131, Assembly Bill NO. 7435, authorizing the sale or conveyance by the State of New York to the Wading River Fire District, and hereby asks the Governor to sign the same.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

After the vote Supervisor Smith made the following comment: "What it is, is the Home Rule message relative to a special act of the State Legislature that has been sponsored in the Assembly and the Senate by our representative to permit the State of New York to convey land for the erection, etc., of the fire substation thereby creating some alternatives for the existing site which is known as the community center."

Councilman Lombardi offered the following resolution which was seconded by Councilwoman Tomlinson.

RESOLVED, That the Town Board does hereby approve the Duty Statements for summer employees in the Recreation Department, and authorizes the Supervisor to sign and return

RESOLUTIONS - continued

the same for the positions of recreation specialist (3), laborers (6), life guards (9), beach attendant (5), and recreation aide (13).

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

RESOLVED, That Police Chief Roscoe Palmer be and he is hereby authorized to attend the Annual New York State Police Chiefs Conference at the Concord Hotel on August 7th to 11th, 1977, inclusive, and that all related expenses be paid by the Town of Riverhead.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

RESOLVED, That the Town Board hereby authorizes termination of the services of Joseph Pirraglia and Dixon A. Palmer as school crossing guards as of June 24, 1977.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Councilman Lombardi offered the following resolution which was seconded by Councilwoman Tomlinson.

WHEREAS, The Town Board of the Town of Riverhead, Suffolk County, New York has approved local public works projects for which federal funding will be sought pursuant to the Public Works Employment Act of 1977, and;

WHEREAS, The Town Board of the Town of Riverhead, Suffolk County, New York has duly caused to be prepared applications for federal funding pursuant to the Public Works Employment Act of 1977 for local public works projects approved by the Town Board

NOW, THEREFORE, be it

RESOLVED, That the Supervisor be and hereby is authorized to sign all applications submitted by the Town of Riverhead for federal funding under the Public Works Employment Act of 1977, of local public works projects approved by the Town Board of Riverhead and that the Supervisor be and hereby is further authorized to give all assurances and certifications that the Town of Riverhead shall comply with all assurances and certifications so given pursuant to the Public Works Employment Act of 1977.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued
SITE PLAN FOR P.C. RICHARDS

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

WHEREAS, A proposed site plan has been submitted to this Board, drawn by M. M. Giarmoni, P. E., for certain real property on the northerly side of County Road 58, and

WHEREAS, The Town Board has met and reviewed said site plan,

NOW, THEREFORE, be it

RESOLVED, That said site plan, dated June 10, 1977, be approved on the following terms and conditions:

1. The site plan be redrawn and re-submitted to show a design in which the proposed front lot line (a line on a curve along the northerly side of County Road 58 with a radius of 2579.64 feet and a length of 208.08) is continuous with the proposed county taking line, such that upon the county taking, the green area shown shall remain. In the revised drawing the area between the present shown front lot line and the taking line shall be paved, etc., in conformance with Suffolk County highway specifications.

2. In consideration of the above, the applicant in his revised drawings, may reduce the number of parking stalls shown to the north of the proposed structures in an area equal to that adjusted as above, but not in such a way as to reduce the green areas shown.

3. All green areas will be grass seeded. The specifics of the landscaping plan shall be presented to the Building Department for approval and shall be completed before a certificate of occupancy shall be issued for any buildings shown on this site plan.

4. Nothing herein contained shall modify or alter the requirements or standards of the sign ordinances or laws of the Town of Riverhead. The applicant is directed to consult with the Townscape Committee before requesting permits for any signs on the subject premises.

5. No portion of the proposed structures shall be nearer the front lot line of the subject parcel than an imaginary line drawn between the most southerly point of the structures to the east and west of the parcel known as Midas Muffler and Burger King.

6. The entire perimeter of the parcel shall be fenced. Said fencing, where feasible, may be in common with adjoining owners. Said fencing shall be made of boards or chain link, with a weaved material. Said fence and all plantings shall be maintained by the owner and his successor. In the event that the same is not maintained, the Town may, among other remedies, revoke the certificate of occupancy and/or repair or maintain the same and charge the cost thereof to the owner by tax levy. Said fence shall not exceed four (4) feet in height from points being the extension of the front building line to the side lot lines to County Road 58. No fence is required along County Road 58.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued

Councilman Lombardi offered the following resolution which was seconded by Councilwoman Tomlinson.

WHEREAS, The Town Board has heretofore considered the application of Burger King Corp. for a site plan of certain premises on County Road 58, and

WHEREAS, An investigation by the Building Department reveals that additional parking is required in said location,

NOW, THEREFORE, be it

RESOLVED, That the prior resolution of the Town Board of the Town of Riverhead is hereby confirmed and modified to the extent of adding additional parking as shown on the drawing of Roy I. Rosenbaum, entitled "Revised Parking Plan, Job No. 7725", with the revised date of 6/21/77.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Councilman Young offered the following resolution which was seconded by Councilman Menendez.

WHEREAS, The Shorewood Water Corp. has petitioned the Town Board of the Town of Riverhead for a franchise pursuant to the provisions of Section 64 (7) of the Town Law to lay certain mains along or through public highways, controlled by the Town Board of the Town of Riverhead, and further to supply water to certain areas within the Hamlet of Wading River, Town of Riverhead, New York, and

WHEREAS, A public hearing was held on the application of Shorewood Water Corporation in compliance with the provisions of Section 64 (7) of the Town Law, at which time all persons interested in said application were heard, and

WHEREAS, The items requested by the Town Board at the aforesaid public hearing having been supplied by the Shorewood Water Corp. and the Town Board had conducted its own investigation into the subject applications, and has made certain findings with reference to said application,

NOW, THEREFORE, be it

RESOLVED, That pursuant to the provisions of Section 64 (7) of the Town Law and Section 43 (2) of the Transportation Corporations Law, the Town Board of the Town of Riverhead does hereby grant to the Shorewood Water Corp. a franchise to lay water mains and pipes under public highways as set forth below and to supply water within the Town of Riverhead as set forth below upon the following terms and conditions:

1. The franchise to lay mains and pipes under the public highways in the Town of Riverhead is limited to a crossing of Dogwood Drive, where the same intersects the right-of-way of the Long Island Lighting Company and the use of a two (2) foot sub-service right-of-way in and under the Wading River-Manorville Road from a point constituting the

RESOLUTIONS - continued

intersection of the LILCO right-of-way with the aforesaid highway and running along the Wading River-Manorville Road to a point one hundred (100) yards southerly from the intersection of the aforesaid Wading River-Manorville Road with New York State Route 25-A.

2. The aforesaid franchise with the use and occupancy of public highways in the Town of Riverhead shall be non-exclusive. The applicant, Shorewood Water Corp. shall, at any time, move, alter, or otherwise rearrange its mains and/or pipes at the direction of the Town Board, which direction shall be binding and conclusive upon the Shorewood Water Corp.

3. The Shorewood Water Corp. shall maintain a policy of liability insurance coverage equal to the amounts of general liability insurance coverage carried by the Town of Riverhead, as amended from time to time, naming the Town of Riverhead as being insured against all liability arising from the laying and/or maintenance of pipes within the subject franchise.

4. The Shorewood Water Corp. shall, at all times, repair the aforesaid rights-of-way to the specifications of the Town of Riverhead for public highways in subdivisions. As a condition of this franchise, the Shorewood Water Corp. shall post a bond with the Town Clerk of the Town of Riverhead running to the benefit of the Town Board of the Town of Riverhead and the Highway Superintendent thereof in a sum of Twenty-five thousand and 00/100 (\$25,000.00) Dollars, which bond shall guarantee that the Shorewood Water Corp. shall maintain and repair public highways of the Town of Riverhead in conformance with the highway specifications set forth above. At any time that the aforesaid Town highways are opened by the Shorewood Water Corp., said openings shall be closed within five (5) business days of their opening. In the event that the same are not closed within the stated period, the Town Highway Superintendent may close the same, repair the roads, and the cost thereof shall be charged to the Shorewood Water Corp. At all times that Shorewood Water Corp. has open highways or lands adjacent to highways in the Town of Riverhead, the trenches, depressions, or other disturbances of the right-of-way shall be marked with such devices and/or signals as may be required by the Commissioner of Motor Vehicles and posted in his or her regulations.

5. The within franchise shall be for a period of forty (40) years.

6. As a condition of this franchise, the Shorewood Water Corp. must provide water service to any owner of lands within one hundred fifty (150) lineal feet of the mains authorized by this franchise.

7. The subject includes therein and is limited to the installation of a water main from the westerly boundary of the Town of Riverhead, along the LILCO right-of-way to the Wading River-Manorville Road and thence southerly along Wading River-Manorville Road to a point one hundred (100) yards south of the intersection of the Wading River-Manorville

RESOLUTIONS - continued

Road and New York State Road 25-A. The extension, expansion or otherwise the improvement of the system of the Shorewood Water Corp. beyond the route set forth above shall be subject to and conditioned upon a further hearing by this or subsequent Town Boards of the Town of Riverhead pursuant to the provisions of Section 64 (7) of the Town Law.

8. In the event that the Shorewood Water Corp. desires to sell its assets, merge or consolidate with another water corporation or otherwise dispose of its holdings, the Town Board of the Town of Riverhead shall have a right of first refusal to purchase the improvements of the Shorewood Water Corp. within the Town of Riverhead within thirty (30) days of the exhibition of a bona fide, arms-length written contract for the sale as set forth above, at the purchase price stated therein.

9. In the event that the Town of Riverhead, acting on its own behalf, or on behalf of any special district, finds that it is in the public interest of the Town of Riverhead to create a municipal water supply system in the area subject to franchise, the Shorewood Water Corp. shall sell to the Town of Riverhead, or its subordinate district, such mains, pipes, etc., as exist at that time for the book value of the same as they exist upon notification by the Town of Riverhead to the Shorewood Water Corp.

10. The applicant shall install at or near the Shoreham-Wading River Elementary School a hydrant for fire fighting purposes.

11. Pursuant to the provisions of Section 44 of the Transportation Corporations Law, the applicant shall have prepared an accurate survey of the franchise granted hereby, the same shall be presented to the Town Board for its approval, and upon approval, the same shall be filed with the County Clerk, all as is provided in Section 44.

12. Commencement of construction of the mains, pipes, etc., as is set forth herein shall not commence until such time as the applicant has complied with all the provisions of this resolution relating to surveys and bonds.

Supervisor Smith then stated: "Miss Block, before we call the roll on this one, Mr. Nohejl has a question?"

William Nohejl: "I just want a clarification. Is there any private property being involved in condemnation or easement?"

Supervisor Smith: "It can be, Bill, in the future. I think that's the question you stated in your letter to the hearing. No, not with the present route. They have the same powers under the statutes as a utility such as LILCO. If they were to choose in the future to go some place else, which frankly that is why, that was one of the concerns of Dr. Menendez and that is why in the granting of the franchise there is that paragraph 7 which I think says this particular resolution of this Town Board is limited to the route that we describe - down LILCO - up Wading

RESOLUTIONS - continued
River-Manorville Road."

William Nohejl: "But, now, in the future if they wish to extend it, these provisions could be put in, right?"

Supervisor Smith: "No. We're saying that today. At least they have to come back for another hearing

William Nohejl: "I'm very much against condemnation and easements on private property - that's my very concern."

Superivsor Smith: "I know that Bill. The fact of the matter is that this kind of corporation does have powers of eminent domain. We are controlling it as best we can with this resolution with reference to this particular corporation. But I cannot tell you as Supervisor or as a lawyer that this corporation does not have the power of eminent domain - they do."

William Nohejl: "You say they do have the power of eminent domain, but they must be restricted to the route that is described right here, now?"

Supervisor Smith: "This resolution."

William Nohejl: "They cannot change it after you grant it?"

Supervisor Smith: "Unless they were to come back for another hearing - is my opinion."

William Nohejl: "This is what I wanted to know, if this is it - period."

Supervisor Smith: "This is it as far as we're concerned at this time".

William Nohejl: "Can they go over the top of you by law?"

Supervisor Smith: "I don't believe so."

William Nohejl: "You don't believe so or you don't know?"

Supervisor Smith: "I'll put it this way, there is no case in the book that I have read that answers that question. So my opinion and Mr. Danowski's, for instance, may differ on that."

William Nohejl: "What I'm concerned about is if you get them this route - grant them this here franchise then they say well LILCO doesn't want us down there, right? Any-

RESOLUTIONS - continued
way, for some reason or another . . ."

Supervisor Smith: "This is something we raised with him and he claims that he has a - some sort of iron clad thing with LILCO and I don't think there is such a thing."

William Nohejl: "Being a Councilman of Brookhaven, I can understand that."

Michael Peretta, Wading River; "One point I don't understand is that Shorewood was looking for a 100 year contract for this - lay of the pipes."

Supervisor Smith: "Yes, Sir."

Michael Peretta: "Have they reduced it down to 30 or 40 years?"

Supervisor Smith: "We tried to figure out what would be a reasonable period of time. When you were in my room this morning, we gave them the same useful life as we use in the Riverhead Water District for the useful life of mains. And the useful life that is specified in the local finance law for water mains is 40 years. I would think in private enterprise they would write him off a lot faster than that, but I would say 40 years is a good write-off period."

Michael Peretta: "One other point. I don't hear any mention of Benjamin Street in this resolution that's drawn up."

Supervisor Smith: "We do not give him permission to go down Benjamin Street, or Front Street."

Michael Peretta: "Is that stated in this resolution?"

Supervisor Smith: "No Sir. He has no permission by this resolution to go any place other than - I'm talking about in the Town of Riverhead. Part of his application dealt with an area that he has jurisdiction over. In any event - down LILCO right-of-way coming out of Brookhaven to the Wading River Road and south on the Wading River Road across 25A to the south entrance to his parking lot."

Michael Peretta: "So far as this is concerned, at the present time, but in the future if he has eminent domain does that mean he can. . . "

Supervisor Smith: "You are worried about the same thing that Mr. Nohejl is worried about. As a condition of this franchise, we do not give him that right to go in either place and the Section 64 (7) of the Town Law and the other provisions of

RESOLUTIONS - continued

the Transportations Corporation Law says that we may impose conditions upon the franchise. So if he were to attempt to go some place else, it is my opinion that that would be a violation of the franchise and that we would be in a position to revoke it if we wished or our successors."

Michael Peretta: "Well I truthfully - I don't believe - in my opinion, anyway, I don't believe that I would give a water rights to a private organization. I feel that the water system does belong to the Town and to the people."

Supervisor Smith: "There are those of us on the Town Board that agree with you."

Michael Peretta: "The Town should never give up its rights to abide by a franchise."

Supervisor Smith: "Okay."

Michael Peretta: "We have three privately owned water companies in Wading River now. One was bankrupt and bailed out by it's users just recently. The second one is not operating eight months out of twelve. And the third one is questionable and very old equipment. Now I don't see how the Shorewood Water Company is gaining in any way by coming into our area when actually it has much more areas in their own location in Brookhaven where they can swing over. Why... do they need Wading River?"

Supervisor Smith: "He has what is known in some places - is a pigeon. The pigeon being the shopping center. And the shopping center, quite frankly, is going to pay the majority of the costs of the extension and then he will pick up in the business sense what other businesses he can get along the way."

Michael Peretta: "Well I can see that he is getting very very prime area to do business with - there's no question about that. But even all the way down to Manor Road and if he grabs the four corners, which eventually he will, it is quite a bit of business for him. But I still say it's a project that should belong to the people and I feel that maybe there should be another hearing on it because actually people in Wading River themselves have not been spoken for. You have heard some people from the immediate area of Wading River, but not the further end."

Supervisor Smith: "Thank you Mr. Peretta."

William Nohejl: "This is pertaining to the agreement this Town Board makes. What about the future Town Boards, can they change it?"

RESOLUTIONS - continued

Supervisor Smith: "Not as long as he's abiding by the conditions here."

William Nohejl: "Supposing within - say for instance you're not Supervisor two years or four years - whatever period of time - supposing the next regime he comes along and says well LILCO doesn't want us in the right-of-way."

Supervisor Smith: "He's got to come back under this franchise for another hearing."

William Nohejl: "And it is a possibility that he can go across private property with the eminent domain statute."

Supervisor Smith: "We are saying in this resolution that if he goes anyplace other than where he's supposed to, we have a right to revoke his franchise."

William Nohejl: "You do as the present Town Board?"

Supervisor Smith: "Yes Sir."

William Nohejl: "But if the future. . ."

Supervisor Smith: "The future Town Board would have the same right."

William Nohejl: "Yes. Suppose they changed their minds and say yes he can go on private property - he uses the eminent domain."

Supervisor Smith: "Yes."

William Nohejl: "So where are we?"

Supervisor Smith: "Another Town Board could hold another hearing pursuant to Section 64 (7) and let him go through the middle of your farm."

William Nohejl: "Where are we?"

Councilman Young: "Nothing lasts forever. There's no way you can control future Town Boards. They can do anything they want to."

William Nohejl: "Well how do we know this might not be a merry-go-round?"

Councilman Young: "You never know what's going to happen in the future."

Supervisor Smith: "What we're saying to you - there will be no changes without another hearing - public hearing."

RESOLUTIONS - continuedWilliam Nohejl: "It's not kosher."Supervisor Smith: "Okay, thank you."

At this point of the meeting the time was 8:15 P.M., and Supervisor Smith adjourned the roll call vote on the resolution to have the Town Clerk read the affidavits of publishing and posting Public Notice calling Public Hearing to be held at 8:15 P.M. (See Public Hearing - 8:15 P.M. on page 555 of this meeting.

Supervisor Smith then reverted to the resolution at hand and called for a roll call vote.

Councilman Lombardi: "Before I give my vote, I have to say that the public hearing that we had in Wading River I felt - I personally did not get a true feeling and that's why I felt I should go into Wading River and into Brookhaven to talk to the people in their areas, which I did and so did Doc Menendez.

We went into Brookhaven where he does have water - this Mr. Reid and we spoke to the people in the area that have his water and they were very satisfied with the price, with the pressure, and with everything. Now we didn't pick out houses - we just went and knocked on doors.

Then we went back into Wading River in the sections that the water is supposed to come into. We spoke to people in there and every person that we did speak to - I'm not saying every house - because we couldn't get to everyone - everyone was for it. Therefore, the pipes coming in - they may not use it in a year, they may not use it in two years, but they said they would like to have it in there. And that's why I'm voting, Yes."

Councilwoman Tomlinson: "I just have a short statement to read concerning this application.

The hamlet of Riverhead presently has it's own municipal water system, which is superior to any private water company. The rates are lower, the Superintendent and employees are well-trained and capable and required to meet Civil Service standards. They are responsive and available seven days a week. The equipment is the best and the quality of water strictly monitored. I have supported the expansion of our own water system in the past and at the present time am hopeful of a further expansion, through the Public Works Program into Aquebogue.

There are areas in the eastern portion of Wading River such as Wildwood Hills that will need a public water system in the near future. The possibility of the Shorewood Water Corp. servicing areas such as Wildwood Hills, Hartwood on the Sound, Hulse Landing Road, etc., is remote, if not impossible. Whether we like it or not, eventually it

RESOLUTIONS - continuedCouncilwoman Tomlinson - continued

will be the Town's responsibility to supply water, not sell for a profit, to the residents of Wading River. While it may seem desirable to those home owners located near the proposed franchised area, and I happen to be one of them, to have so-called city water available in the near future, it would be short-sided of me to allow any private water company to come in to Riverhead primarily to service a shopping center and possibly create all kinds of problems for a future municipal water district. Private water companies are a thing of the past.

All over Suffolk County they are gradually being taken over by the Suffolk County Water authority which I think would be disastrous for Riverhead. In our town approximately six months ago, the private water company servicing the Herod Point area went bankrupt and the residents were faced with a tremendous hardship.

Our job as elected officials as I see it is not to take the easy way out and hope for the best. Our job is to plan for the future well-being of all Riverhead residents.

The application from Shorewood Water Corporation was submitted solely for the benefit of that company and the proposed shopping center without regard to planning, zoning or the future needs of the community. My job is not to make their life easier - my responsibility is to the people who elected me and I have to vote No."

Councilman Menendez: "Well I have certain reservations on this principal of eminent domain which has bothered me. I don't like the idea that a private concern can come in, like LILCO and put their lines right through your back yard or the front yard at their will. Now that's why we have tried to tie them up in such a way that that couldn't happen.

We did, John and I, did go up and we talked to a lot of different people. We're not talking about supplying the whole village of Wading River, we're talking one little area. Now the people we talked to were chosen at random. We didn't know any of them. We've never seen them before. Nowhere did we find anybody that was deadly against this. Everyone said yes we would like to have the water down - we're not going to use it right now until our wells go bad - which might be in five years, but they don't know.

The women were kicking about their laundry being rusted with spots because of the iron in the water and they were urging the men to be in favor of it because we need this for my ironing and so forth. So we heard the story over and over again - they want it. Maybe they wouldn't hook up to it, but they wanted it.

Then we came to Riverhead Town and talked to people here - we found no one here who was against it. I think it would probably be a good thing. No one says you have to hook

RESOLUTIONS - continuedCouncilman Menendez - continued

up to it - only the ones within 150 feet of it can do so anyhow.

Say if Quail Hollow - if they wanted to take advantage of the Public Water they could by petition. It has its advantages and disadvantages. And frankly I think in this job we are duty bound to do what the people want, what the people request - not with our own personal feelings. And from what I have discovered from talking with these people, I can vote no other way but Yes."

Councilman Young: "Well I have the same prejudices that Mrs. Tomlinson has against public enterprises - that she seems to have against private enterprises. I feel that private enterprise can do anything better than public bureaucracy. Public water services - public water companies get their capital expenditures by taxes.

This is why the water is cheaper. It's a fake cheapness because you are being taxed to pay for all of the capital improvements and so your water comes out cheaper but you're paying for it out of the other pocket. I feel if a man wants to invest his own money, risk bankruptcy, take a chance, try to make a profit, and serve the people with something that they need, I think he should be allowed to do it.

When you consider the alternative which is waiting for the eventual windfall of some government agency to give us money enough to build our own water system and that money is not given to you, that's government money - that's your money. When we say Uncle Sam's going to give us a lot of money, you're taxed for it - probably more than anybody else. The income tax in this area - we don't get back half of what we sent into Washington. So you're paying for it in any case.

So if some poor little businessman wants to try to make a buck and supply somebody with water - I'm all for it. I'll vote Yes."

Supervisor Smith: "It seems that a statement is in order with reference to this particular vote, I would say that the future of water supply is a municipal function. I can address the arguments made by Mr. Young and costs and the havoc that's created by private water companies or private roads. They seem like a good idea in the first place, but then they turn out to be not so hot an idea later on.

I would vote against this particular resolution if I could say in the exercise of good planning and judgment that somewhere within the foreseeable future we could say that a municipal water supply system would be forthcoming for the Wading River area. I cannot say that.

The water supply seems to be readily available from private enterprise and we have put a condition into the resolution that says we can buy them out if we get

RESOLUTIONS - continued

Supervisor Smith continued going and we do create our own municipal water supply in that area and as I will vote Yes on the resolution."

Four (4) "Yes" votes and One (1) "No" vote cast and thereupon the resolution was duly adopted.

PUBLIC HEARING - 8:15 P.M.

The Town Clerk submitted affidavits of publishing and posting Public Notice calling Public Hearing to be held on July 5th, 1977 at 8:15 P.M. on a certain map filed in the office of the Clerk of the County of Suffolk, for the acquisition of certain property by the Town of Riverhead for public purposes, including but not limited to slum clearance.

The affidavits were ordered to be placed on file.

Supervisor Smith then stated: "This is the hearing with reference to the Colonial Arms which is on East Main Street at the intersection with Riverside Drive. This is the first step in a condemnation procedure. Does anyone wish to address the Town Board with reference to this particular public hearing?"

No one wishing to be heard and no communications having been received thereto, Supervisor Smith declared the Hearing closed at 8:29 P.M. and the meeting resumed.

Supervisor Smith recessed the meeting to hold a public hearing.

PUBLIC HEARNG - 8:30 P.M.

The Town Clerk submitted affidavits of publishing and posting Public Notice calling Public Hearing for a Special Permit on application of Bruno Tarabocchia to change a service station to a garage - to be held on July 5th, 1977 at 8:30 P.M.

The affidavits were ordered to be placed on file.

COMMUNCIATION

Town of Riverhead Planning Board, dated June 8, 1977, recommending the granting of a Special Permit on the petition of Bruno Tarabocchia to change a service station to a garage, with the provision that the petitioner complies with the plan as submitted. Filed.

Supervisor Smith asked if anyone wished to be heard.

PUBLIC HEARING - continued

No one wishing to be heard and no further communications having been received thereto, Supervisor Smith declared the hearing closed at 8:32 P.M. and recessed the meeting for five minutes.

The meeting re-convened and Supervisor Smith recessed the meeting to hold a Public Hearing.

PUBLIC HEARING - 8:45 P.M.

The Town Clerk submitted affidavits of publishing and posting Public Notice calling Public Hearing on the petition of Port Washington Lumber Co., Inc., for a Special Permit to operate a wholesale lumber facility to be held on July 5th, 1977 at 8:45 P.M.

The affidavits were ordered to be placed on file.

COMMUNICATION

Town of Riverhead Planning Board, dated June 3, 1977, recommending that the Town Board grant the Special Permit to the Port Washington Lumber Co., Inc., to operate a wholesale Lumber Facility. Filed.

Supervisor Smith asked if anyone wished to be heard and the following responded.

Harvey Arnoff, Esq., 16 West Main Street, Riverhead, representing the petitioner addressed the Town Board saying: "I think basically the application that was submitted speaks for itself. My client intends to use this particular facility, it being now lot #4 - a minor subdivision that's been approved by the Planning Board as a wholesale drop point for deliveries to builders and users within the eastern part of Suffolk County. They anticipate no retail trade what-so-ever and would be willing if the Board so wished in limiting their approval to come back to the Board in the event that we intended to go into retail trade. That basically states that we are 862 feet approximately from County Road 58."

Supervisor Smith: "How about the State Highway?"

Harvey Arnoff: "The survey is silent as to the distance."

Supervisor Smith: "What's the magic fee - Miles?"

Miles Fairley: "500 - but it's greater than that."

Supervisor Smith: "The reason we ask these questions is the provisions of the County Charter Special Permits with-

PUBLIC HEARING - continued
in 500 feet of certain roads and highways. Is there anyone else that would choose to address the Town Board with reference to this application that deals with certain real property on Kroemer Avenue on the westerly end of the Town of the hamlet?"

Miles Fairley spoke but was inaudible.

Supervisor Smith: "For the record, Mr. Fairley indicates that the Planning Board has given consideration of the fact that there is some wetlands in that area and that the application does not show any construction in that area of the parcel. Is there anybody else that wishes to address the Town Board with reference to this particular application?"

No one else wishing to be heard and no further communications having been received thereto, Supervisor Smith declared the hearing closed at 8:48 P.M., and reopened the meeting.

PERSONAL APPEARANCES

Supervisor Smith: "We're back to our portion of the meeting where we will listen to anyone wishing to address the Town Board on any matter. We have one hearing yet to go - that's the 9:00 P.M. hearing with reference to real property tax exemption in the Town of Riverhead for people over 65. If anybody would like to address the Town Board on any matter please do so now, by coming forward and stating your name and telling us what's on your mind."

No one wishing to address the Town Board, Supervisor Smith adjourned the meeting until 9:00 and called the meeting to order again for the purpose of the hearing at 9:00 P.M.

PUBLIC HEARING - 9:00 P.M.

The Town Clerk submitted affidavits of publishing and posting Public Notice calling Public Hearing on Chapter 95 - Taxation - Local Law No. 4, increasing partial Exemption from Taxation of Real Property owned by persons 65 years of age, to be held on Tuesday, July 5th, 1977 at 9:00 P.M.

The affidavits were ordered to be placed on file.

Supervisor Smith made the following statement: "For those of you that do not understand this particular hearing, there is an exemption for certain persons with reference to real property taxation. One of the qualifications is that

PUBLIC HEARING - continued

you cannot earn more than - at this particular point in time - \$6500 - the State Legislature has authorized the granting of the exemption to \$7200. That is what is before us. Does anyone choose to address the Town Board on this particular hearing?"

Michael Peretta, Wading River; "I address this to Mr. Allen Smith, Supervisor, and members of the Town Board. I speak for all senior citizens in Riverhead Township whether they are represented by any organization or not affiliated with any group on account of the high cost of living.

All groups of people married, single, with or without children are finding it difficult to support their families. More so with our elderly people who are on basic social security pensions. This pension must pay for his or her food, rent all utilities, insurance, medical, transportation and many other hidden expenses. If they are a couple and are on a social security pension their needs and expenses are doubled. Their school tax is very high if they own their own home - even though they have no children to send to school.

Here again the social security pension gives them the cost of living raise automatically on the one hand and tells them that between the couple they cannot receive \$6500 in order to claim partial real estate exemption. This includes interest on their life savings or dividends or bonds or any other income.

Under the \$6500 law, many seniors on social security have lost or will lose the benefits on the partial exemption on real estate for those over 65 years of age. Brookhaven and Southold have changed a local law to increase the partial exemption from real estate for those seniors over 65 years of age from \$6500 to \$7200. We hope that Mr. Allen Smith and our Town Board will find a way to help our senior citizens and increase the exemption to \$7200."

Supervisor Smith: "Is there anyone else that chooses to address the Town Board with reference to the Public Hearing either for or against."

No one else wishing to be heard and no communications having been received thereto, Supervisor Smith declared the hearing closed at 9:07 P.M., and re-opened the meeting.

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

RESOLVED, That the Town Clerk be, and she hereby is, authorized to publish and post a notice to bidders for renovations to the Riverhead Police Station and Town Hall Detention Cell, and further to receive and open bids on the same.

RESOLUTIONS - continued

NOTICE TO BIDDERS

TOWN OF RIVERHEAD

RIVERHEAD, NEW YORK

Separate sealed proposals will be received by the Town Clerk for the Town Board of the Town of Riverhead until 11:00 A.M. prevailing time on July 28th, 1977 at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, at which time they will be publicly opened and read for the

RENOVATION
RIVERHEAD TOWN
POLICE DEPARTMENT HEADQUARTERS

which work consists of one contract for the entire project.

Any information for Bidders, General Conditions, Supplemental General Conditions, Form of Proposal, Specifications and plans may be examined at the office of the Town Clerk at the Town Hall, 200 Howell Avenue, Riverhead, New York. Copies of the Plans with Specifications may be obtained at the office of the Town Clerk, Helene M. Block, 200 Howell Avenue, Riverhead, New York, upon the payment of a deposit of \$25.00, which will be refunded to any bidder who returns the Plans and Specifications in good condition within thirty (30) days following the award of the contract or rejection of the bid.

Each bidder must deposit with his bid a certified check or bid bond for not less than ten (10%) per cent of the bid payable to the order of the Supervisor of the Town of Riverhead. Such check or bid bond will be promptly returned to all except the lowest bidder after the formal opening of bids. The check or bid bond of the successful bidder will be returned within two days after the contract has been executed. The successful bidder, upon failure or refusal to execute the contract within ten (10) days after he has been notified of the award of the contract to him, shall forfeit to the Town Board, as liquidated damages, for such failure or refusal, the security deposited with his bid.

The successful bidder shall be required to furnish a Performance and Payment Bond in the amount of One Hundred Percentum (100%) of the accepted bid guaranteeing the completion of the work in accordance with any Drawings and Specifications, and the payment of all obligations arising thereunder in the form and subject to the conditions set forth in the "Instructions to Bidders."

RESOLUTIONS - continued

The Town Board reserves the right to reject any or all bids, and to advertise for new bids and to waive any informalities in the Proposals, and to accept or reject any or all Alternates or Unit Prices if, in its opinion, the best interest of the Town Board will thereby be promoted.

NOTICE TO BIDDERS

TOWN OF RIVERHEAD
RIVERHEAD, NEW YORK

Separate sealed proposals will be received by the Town Clerk for the Town Board of the Town of Riverhead until 11:00 A.M. prevailing time on July 28th, 1977 at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, at which time they will be publicly opened and read for the

DETENTION CELL
TO BE LOCATED IN
RIVERHEAD TOWN HALL

(Revised Plan of June 1, 1977)

which work consists of one contract for the entire project.

Any information for Bidders, General Conditions, Supplemental General Conditions, Form of Proposal, Specifications and Plans may be examined at the office of the Town Clerk, at the Town Hall, 200 Howell Avenue, Riverhead, New York. Copies of the Plans and Specifications thereof may be obtained at the office of the Town Clerk, Helene M. Block, 200 Howell Avenue, Riverhead, New York, upon the payment of a deposit of \$25.00, which will be refunded to any bidder who returns the Plans and Specifications in good condition within thirty (30) days following the award of the contract or rejection of the bid.

Each bidder must deposit with his bid a certified check or bid bond for not less than ten (10%) percent of the bid payable to the order of the Supervisor of the Town of Riverhead. Such check or bid bond will be promptly returned to all except the lowest bidder after the formal opening of bids. The check or bid bond of the successful bidder will be returned within two days after the contract has been executed. The successful bidder, upon failure or refusal to execute the contract within ten (10) days after he has been notified of the award of the contract to him, shall forfeit to the Town Board, as liquidated damages, for such failure or refusal, the security deposited with his bid.

The successful bidder shall be required to furnish a performance and Payment Bond in the amount of One Hundred Percentum (100%) of the accepted bid guaranteeing the completion

RESOLUTIONS - continued

of the work in accordance with any Drawings and Specifications, and the payment of all obligations arising thereunder in the form and subject to the conditions set forth in the "Instructions to Bidders."

The Town Board reserves the right to reject any or all bids, and to advertise for new bids and to waive any informalities in the Proposals, and to accept or reject any or all Alternates or Unit Prices if, in its opinion, the best interest of the Town Board will thereby be promoted.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Councilwoman Tomlinson offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, This Board deems it in the best interest for the Town of Riverhead to modify its ordinances and local laws to provide for a resident and non-resident fishing permit to enable fishermen to fish from the public beaches at hours later than 10:00 P.M., in the evening,

NOW, THEREFORE, be it

RESOLVED, That the Town Clerk be, and she hereby is, authorized to publish and post the annexed notice of public hearing.

PUBLIC NOTICE

PLEASE TAKE NOTICE that on the 2nd day of August, 1977, at 8:00 P.M., a public hearing will be held before the Town Board of the Town of Riverhead, at the Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons in connection with the following proposed amendments to Chapter 48. "Beaches and Recreation Centers" of the Code of the Town of Riverhead.

BE it enacted by the Town Board of the Town of Riverhead, as follows:

By adding the following new matters, as underlined, to Section 48. 13. B (5):

"Resident and non-resident beach parking permits for fishing purposes shall be issued by the Recreation Department and shall entitle the vehicle so licensed to remain at the parking areas at all hours of the day and night. The resident fee for such permits shall be Five Dollars (\$5.00), and the non-resident fee shall be Twenty-five Dollars (\$25.00). Only residents of the Town of Southampton, Easthampton, Shelter Island, and Southold, or the incorporated villages therein,

RESOLUTIONS - continued

shall be entitled to purchase non-resident permits hereunder. Said fees shall entitle the vehicle so licensed to be parked as provided in paragraphs B. (1) to (3)."

Before the vote, Supervisor Smith stated: "It will be in the newspaper and it will be the subject of a hearing as soon as we can get it to the paper.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

RESOLVED, That the Town Board of the Town of Riverhead does hereby adopt the Home Rule Resolution opposing a resolution submitted to the Suffolk County Legislature which would require approval by the Suffolk County Planning Commission before any subdivision map could be filed in the County of Suffolk.

The vote, Lombardi, Yes, Tomlinson, Abstained, and then Mr. Nohejl asked if the resolution could be explained.

Supervisor Smith explained as follows: "Mr. Nohejl before the other members vote - there is a provision of statute which gives to the Townships the jurisdiction over subdivisions within their boundaries. You've heard me speak in the past, in this room, and elsewhere about the County of Suffolk taking jurisdiction over many matters that are best handled at the local level.

The thrust of this resolution that is pending before the Suffolk County Legislature would be to pretty much render what Mr. Fairley and his Board do. It would say that unless the Suffolk County Planning Commission approves subdivision map it would not be filed. Whether or not it was for filing in Riverhead or Southold or Shelter Island or elsewhere, and I don't think the County of Suffolk can handle the things it's got jurisdiction over today and we don't want them messing up yet another area of jurisdiction of the Townships."

The vote continued Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued

Councilwoman Tomlinson offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, That the Town Board of the Town of Riverhead hereby rejects the one bid received from R. O. Welch Asphalt Co., 1064 Woodcrest Avenue, Riverhead, New York, 11901, on Monday, June 27, 1977, for the repair of damaged recreation parking areas and hereby directs the Town Clerk to re-bid the same and open said bids at 10:00 A.M., on Thursday, July 14, 1977, and be it

FURTHER RESOLVED, That this meeting of the Town Board is hereby adjourned to that date and hour for award of the bid contract, also to audit bills and any other matters that may come before the Board.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

There being no further business, Supervisor Smith adjourned the Meeting at 9:10 P.M.



Helene M. Block, Town Clerk

HMB/vlv